

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA

Plaintiff,

v.

CASE NO. 3:21-CR-49-02

DIANA TOEBBE,

Defendant.

MOTION TO WITHDRAW

COMES NOW Edward B. MacMahon, Jr., court-appointed pro hac vice counsel for the Defendant, Diana Toebbe, and moves the Court for leave to withdraw from further representation of the Defendant in the above-captioned case. In support thereof, the undersigned counsel states the following:

1. On October 13, 2001, attorney Barry P. Beck was appointed by the Court as counsel for the Defendant. At the same time, the undersigned counsel was appointed pro hac vice co-counsel for the Defendant. The undersigned counsel's appointment was necessary because there were no panel attorneys in this district who possessed the necessary security clearance to review the "Restricted Data" at issue in this case.

2. For personal reasons that have arisen since his appointment, the undersigned counsel requests that the Court now grant him leave to withdraw from further representation of the Defendant.

Wherefore, the undersigned counsel requests that the Court grant his motion for leave to withdraw and appoint substitute pro hac vice counsel to serve as co-counsel with Mr. Beck.

DEFENDANT
By Counsel

/s/ Edward B. MacMahon, Jr.
Edward B. MacMahon, Jr.
107 E. Washington Street
PO Box 25
Middleburg, VA 20118
(540) 687-3902

Barry P. Beck
Power, Beck & Matzureff
308 West Burke Street
Martinsburg, WV 25401
(304) 264-8870

CERTIFICATE OF SERVICE

I, Barry P. Beck, counsel for Defendant, hereby certify that on the 29th day of August, 2022, the foregoing **MOTION TO WITHDRAW** was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Barry P. Beck
Barry P. Beck